

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

026350-070

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)

09/980,223

INTERNATIONAL APPLICATION NO.  
PCT/JP01/02017

INTERNATIONAL FILING DATE  
March 14, 2001

PRIORITY DATE CLAIMED  
March 31, 2000

**TITLE OF INVENTION**

**METHOD AND APPARATUS FOR DIAGNOSING THE PRESENCE OR ABSENCE OF MASTITIS BY USING VISUAL LIGHT RAYS AND/OR NEAR INFRARED RAYS**

**APPLICANT(S) FOR DO/EO/US**

Roumiana TSENKOVA

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)) **is attached**.
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: Copy of the Notification of Missing Requirements and a Two-Month Petition for Extension of Time.

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) <b>09/980,223</b>		INTERNATIONAL APPLICATION NO. <b>PCT/JP01/02017</b>		ATTORNEY'S DOCKET NUMBER <b>026350-070</b>	
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<b>21. <input checked="" type="checkbox"/> The following fees are submitted:</b>			<b>CALCULATIONS</b>		PTO USE ONLY	
<b>Basic National Fee (37 CFR 1.492(a)(1)-(5)):</b>  Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... \$1,040.00 (960)  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... \$890.00 (970)  <del>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$740.00 (958)</del>  International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$710.00 (956)  International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$100.00 (962)  <div style="text-align: right;"><b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b></div>						
Surcharge of <b>\$130.00 (154)</b> for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)). <div style="float: right;">20 <input checked="" type="checkbox"/> 30 <input type="checkbox"/></div>			\$ 130.00			
Claims	Number Filed	Number Extra	Rate			
Total Claims	-20 =		X\$18.00 (966)	\$		
Independent Claims	-3 =		X\$84.00 (964)	\$		
Multiple dependent claim(s) (if applicable)			+ \$280.00 (968)	\$		
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ 130.00		
Reduction for 1/2 for filing by small entity, if applicable (see below).				\$ 65.00		
<b>SUBTOTAL =</b>				\$ 65.00		
Processing fee of <b>\$130.00 (156)</b> for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492(f)). <div style="float: right;">20 <input type="checkbox"/> 30 <input type="checkbox"/></div>			\$			
<b>TOTAL NATIONAL FEE =</b>				\$		
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00 (581)</b> per property <div style="float: right;">+</div>			\$			
(5/31/2002 LLANDGRA 00000064 09980223 <div style="float: right;"><b>TOTAL FEES ENCLOSED =</b></div>				\$ 65.00		
(1 FC:254 65.00 0P <div style="float: right;"><b>Amount to be refunded:</b></div>				\$		
				<b>charged:</b>	\$	

a. ☒ Small entity status is hereby claimed.

b. ☒ A check in the amount of \$ 265.00 to cover the above fees is enclosed.

c. ☐ Please charge my Deposit Account No. 02-4800 in the amount of \$ \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.

d. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 02-4800. A duplicate copy of this sheet is enclosed.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:

Robert G. Mukai  
BURNS, DOANE, SWECKER & MATHIS, L.L.P.  
P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620

\_\_\_\_\_  
SIGNATURE

Robert G. Mukai  
\_\_\_\_\_  
NAME

28,531  
REGISTRATION NUMBER

May 28, 2002  
DATE



## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

U.S. APPLICATION NUMBER NO. 09/980,223	FIRST NAMED APPLICANT Roumiana Tsenkova	ATTY. DOCKET NO. 026350-070
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INTERNATIONAL APPLICATION NO. PCT/JP01/02017
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IA. FILING DATE 03/14/2001	PRIORITY DATE 03/31/2000
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Robert G Mukai  
Burns Doane Swecker & Mathis  
PO Box 1404  
Alexandria, VA 22313-1404

CONFIRMATION NO. 1320  
371 FORMALITIES LETTER



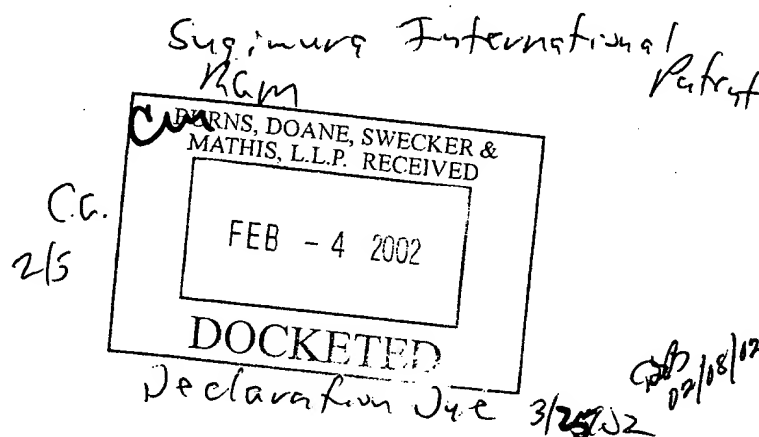
\*OC000000007345095\*

Date Mailed: 01/25/2002

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494):

- U.S. Basic National Fees
- Indication of Small Entity Status
- Priority Document
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- English Translation of the IA
- Information Disclosure Statements
- Oath or Declaration
- Preliminary Amendments
- Request for Immediate Examination



The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$65 Surcharge for providing the oath or declaration later than the appropriate 20 months from the priority date (37 CFR 1.492(e)) is required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR

FEB 6 02

THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAREN M WILLIAMS

Telephone: (703) 305-3688

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/980,223	PCT/JP01/02017	026350-070